

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY ZAPPIN,

Plaintiff,

-against-

MATTHEW F. COOPER, et al.,

Defendants.

20-CV-2669 (ER)

ORDER OF SERVICE

EDGARDO RAMOS, United States District Judge:

Plaintiff, appearing *pro se*, brings this action under 42 U.S.C. § 1983, asserting that Defendants abused process by arresting him in retaliation for the exercising of his right to free speech. By order dated April 7, 2020, the Court granted Plaintiff's request to proceed without prepayment of fees, that is, *in forma pauperis* ("IFP").

Because Plaintiff has been granted permission to proceed IFP, he is entitled to rely on the Court and the U.S. Marshals Service to effect service. *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)). But, in light of the difficulties with service of process caused by the outbreak of COVID-19 (coronavirus), the Court directs the Clerk of Court to issue electronic summonses to Plaintiff as to Defendants Matthew F. Cooper, Lauren Liebhauser, Kevin M. Doyle, and Hannah Yu. Plaintiff is directed to serve the summonses and complaint on each Defendant within 90 days of the issuance of the summonses.

If Plaintiff is unable to serve Defendants, he must write to the Court, and if necessary, the Court will direct service by the U.S. Marshals Service. If within 90 days, Plaintiff has not served Defendants, requested an extension of time to do so, or informed the Court that he is unable to

serve Defendants, the Court may dismiss the claims against Defendants under Rules 4 and 41 of the Federal Rules of Civil Procedure for failure to prosecute.

The Clerk of Court is respectfully directed to issue electronic summonses to Plaintiff as to Defendants Matthew F. Cooper, Lauren Liebhauser, Kevin M. Doyle, and Hannah Yu.

SO ORDERED.

Dated: April 7, 2020
New York, New York



EDGARDO RAMOS
United States District Judge